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6 IN THE UNITED STATES DISTRICT COURT

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10 MAX WADMAN AND KELLY TOPPING, No. C 14-05035 WHA
11 Plaintiffs,

12 v. ORDER FOLLOWING
13 DISCOVERY BAY YACHT HARBOR, LLC
14 ET AL, DISCOVERY HEARING
15 Defendants.

16 As stated at today's discovery hearing, plaintiff Max Wadman shall sit for an
17 independent psychiatric evaluation, not to exceed five hours. The evaluation shall take place on
18 either **DECEMBER 15 OR DECEMBER 17**, at plaintiff's choosing, and he must notify defendants
19 on which date the exam will take place by **NOON ON DECEMBER 10**. If plaintiff does not sit for
20 the psychiatric evaluation, then he will not be allowed to make any mention of post-traumatic
21 stress disorder at trial. The disclosure of expert reports regarding the psychiatric evaluations of
22 plaintiffs Wadman and Topping shall be due **TWENTY-EIGHT DAYS** after their respective
23 examinations.

24 By **DECEMBER 11 AT NOON**, plaintiff's counsel shall file a five-page memorandum
25 summarizing their best proof that plaintiff Wadman actually served in the military in Iraq,
26 attaching the five documents which are most probative of that assertion. By **DECEMBER 15 AT**
27 **NOON**, defense counsel may file a response, not to exceed five pages, in opposition to plaintiff's
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1 memorandum. If defense counsel claim they were never served with the documents plaintiff
2 attaches, then plaintiff may respond by **DECEMBER 16 AT NOON**, laying out with specificity
3 how and when the documents were produced to the other side.

4 By **DECEMBER 9**, the parties shall submit a proposed joint request to the Department of
5 Defense for the Court to sign regarding production of outstanding document requests.

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7 **IT IS SO ORDERED.**

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9 Dated: December 8, 2015.

10 
11 WILLIAM ALSUP
12 UNITED STATES DISTRICT JUDGE